

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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JOSEPH A. MCPEAK, individually and on :  
behalf of other similarly situated individuals :

Plaintiff, :

v. :

S-L DISTRIBUTION COMPANY, INC., :

Defendant. :

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Civil No. 12-00348 (RBK/KMW)

**ORDER**

**THIS MATTER** having come before the Court on the motion of S-L Distribution Company (“Defendant”) to dismiss the Amended Class Action Complaint of Joseph A. McPeak (“Plaintiff”), pursuant to Federal Rule of Civil Procedure 12, and the Court having considered the moving papers and attached documents; and for the reasons expressed in the Opinion issued this date;

**IT IS HEREBY ORDERED** that Defendant’s motion is GRANTED. Plaintiff may request leave of the Court to file a Second Amended Complaint by January 5, 2012.

Dated: 12/19/2012

/s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge